

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Darrell Devon Hunter, #260276,

Plaintiff,

vs.

(DHO) R.C. Turner; Sgt. NFN Horn;  
Officer NFN Glenn; Warden Tim Riley;  
Sgt. NFN Brock; Officer Wy Grant (IGC);  
Herb Johns; Officer NFN Rice;  
Officer NFN Bishop; Sergeant W  
Corr. Inst. c/o South Carolina Department  
of Corrections, et al.,

Defendants.

C.A. No. 0:06-3406-HMH-BM

**OPINION & ORDER**

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Bristow Marchant, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina. Darrell Devon Hunter (“Hunter”), a state prisoner proceeding pro se, filed a complaint pursuant to 42 U.S.C. § 1983. Magistrate Judge Carr recommends granting Defendants’ motion for summary judgment and dismissing Hunter’s complaint without prejudice. Hunter filed objections to the Report and Recommendation. For the reasons below, the court adopts the Magistrate Judge’s Report and Recommendation and dismisses Hunter’s complaint.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those

portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1) (West Supp. 2006). In his Report, Magistrate Judge Marchant recommends granting the Defendants' motion for summary judgment and dismissing Hunter's case without prejudice.

Hunter filed objections to the Report. Objections to the Report must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See *United States v. Schronce*, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Hunter's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report, or merely restate his claims. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts the Magistrate Judge's Report and recommendation.

Therefore, it is

**ORDERED** that the Defendants' motion for summary judgment, docket number 41, is granted, and the Plaintiff's complaint is dismissed without prejudice.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
August 6, 2007

**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.